

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 09/934,903, filed on AUGUST 22, 2001,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;


I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

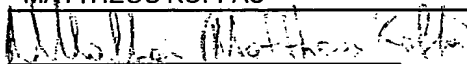
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

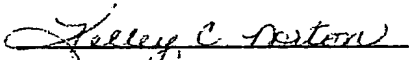
Inventor one: QIONG CHENG

Signature:  Citizen of: CHINA P.R.

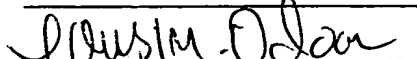
Inventor two: MATTHEOS KOFFAS

Signature:  Citizen of: GREECE

Inventor three: KELLEY C. NORTON

Signature:  Citizen of: UNITED STATES

Inventor four: JAMES M. ODOM

Signature:  Citizen of: UNITED STATES

☒ Additional inventors are being named on 2 & 3RD PAGES. additional form(s) attached hereto.

Please type a plus sign (+) inside this box →



PTO/SB/02A (11-00)

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| <b>DECLARATION</b> | <b>ADDITIONAL INVENTOR(S)</b><br>Supplemental Sheet<br>Page 2 of 3 |
|--------------------|--------------------------------------------------------------------|

|                                            |                    |                                                                               |                           |
|--------------------------------------------|--------------------|-------------------------------------------------------------------------------|---------------------------|
| Name of Additional Joint Inventor, if any: |                    | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                           |
| Given Name (first and middle [if any])     |                    | Family Name or Surname                                                        |                           |
| STEPHEN K.                                 |                    | PICATAGGIO                                                                    |                           |
| Inventor's Signature                       |                    | Date 10/1/01                                                                  |                           |
| Residence: City LANDENBERG                 | State PENNSYLVANIA | Country UNITED STATES                                                         | Citizenship UNITED STATES |
| Mailing Address 17 MEADOW WOOD LANE        |                    |                                                                               |                           |
| Mailing Address                            |                    |                                                                               |                           |
| City LANDENBERG                            | State PA           | ZIP 19350                                                                     | Country UNITED STATES     |
| Name of Additional Joint Inventor, if any: |                    | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                           |
| Given Name (first and middle [if any])     |                    | Family Name or Surname                                                        |                           |
| ANDREAS                                    |                    | SCHENZLE                                                                      |                           |
| Inventor's Signature                       |                    | Date 10/15/01                                                                 |                           |
| Residence: City                            | State ZUERICH      | Country SWITZERLAND                                                           | Citizenship GERMANY       |
| Mailing Address BADENERSTRASSE 363         |                    |                                                                               |                           |
| Mailing Address                            |                    |                                                                               |                           |
| City 8003 ZUERICH                          | State              | ZIP                                                                           | Country SWITZERLAND       |
| Name of Additional Joint Inventor, if any: |                    | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                           |
| Given Name (first and middle [if any])     |                    | Family Name or Surname                                                        |                           |
| JEAN-FRANCOIS                              |                    | TOMB                                                                          |                           |
| Inventor's Signature                       |                    | Date 10/1/01                                                                  |                           |
| Residence: City WILMINGTON                 | State DELAWARE     | Country UNITED STATES                                                         | Citizenship UNITED STATES |
| Mailing Address 627 HAVERHILL ROAD         |                    |                                                                               |                           |
| Mailing Address                            |                    |                                                                               |                           |
| City WILMINGTON                            | State DE           | ZIP 19803                                                                     | Country UNITED STATES     |

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| <b>DECLARATION</b> | <b>ADDITIONAL INVENTOR(S)</b><br>Supplemental Sheet<br>Page <u>3</u> of <u>3</u> |
|--------------------|----------------------------------------------------------------------------------|

|                                                 |                |                                                                               |                       |
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| Name of Additional Joint Inventor, if any:      |                | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                       |
| Given Name (first and middle [if any])          |                | Family Name or Surname                                                        |                       |
| PIERRE E.                                       |                | ROUVIERE                                                                      |                       |
| Inventor's Signature <i>Pierre E. Rouvriere</i> |                | Date <i>10-01-01</i>                                                          |                       |
| Residence: City WILMINGTON                      | State DELAWARE | Country UNITED STATES                                                         | Citizenship FRANCE    |
| Mailing Address 737 TAUNTON ROAD                |                |                                                                               |                       |
| Mailing Address                                 |                |                                                                               |                       |
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|                                                 |                |                                                                               |                       |
| Inventor's Signature                            |                | Date                                                                          |                       |
| Residence: City                                 | State          | Country                                                                       | Citizenship           |
| Mailing Address                                 |                |                                                                               |                       |
| Mailing Address                                 |                |                                                                               |                       |
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|                                                 |                |                                                                               |                       |
| Inventor's Signature                            |                | Date                                                                          |                       |
| Residence: City                                 | State          | Country                                                                       | Citizenship           |
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| Filing Date            | AUGUST 22, 2001                                  |
| First Named Inventor   | KOFFAS ET AL.                                    |
| Title                  | GENES INVOLVED IN ISOPRENOID COMPOUND PRODUCTION |
| Group Art Unit         | UNKNOWN                                          |
| Examiner Name          | UNKNOWN                                          |
| Attorney Docket Number | CL1646 US NA                                     |

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| S. NEIL FELTHAM | 36,506              |
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☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name ANDREAS SCHENZLE

Signature

Date 10/15/01

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**SIGNATURE of Applicant or Assignee of Record**

|           |                    |
|-----------|--------------------|
| Name      | PIERRE E. ROUVIERE |
| Signature | P. E. ROUVIERE     |
| Date      | Oct. 01, 2001      |

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|           |               |
|-----------|---------------|
| Name      | JAMES M. ODOM |
| Signature |               |
| Date      | 10/01/01      |

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**SIGNATURE of Applicant or Assignee of Record**

Name MATTHEOS KOFFAS

Signature

Date

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**SIGNATURE of Applicant or Assignee of Record**

|           |                    |
|-----------|--------------------|
| Name      | JEAN-FRANCOIS TOMB |
| Signature |                    |
| Date      | 10-01-2001         |

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|           |                       |
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| Name      | STEPHEN K. PICATAGGIO |
| Signature |                       |
| Date      | 10/1/01               |

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|           |                         |
|-----------|-------------------------|
| Name      | KELLEY C. NORTON        |
| Signature | <i>Kelley C. Norton</i> |
| Date      | 10/04/01                |

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I hereby appoint:

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23906

OR

☒ Practitioner(s) named below:

| Name            | Registration Number |
|-----------------|---------------------|
| S. NEIL FELTHAM | 36,506              |
|                 |                     |
|                 |                     |
|                 |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number

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Individual Name

Address

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City

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ZIP

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Telephone

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I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

## SIGNATURE of Applicant or Assignee of Record

|           |                |
|-----------|----------------|
| Name      | QIONG CHENG    |
| Signature |                |
| Date      | Sept. 27, 2001 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 8 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:  
CHENG ET AL.

CASE NO.: CL1646 US DIV

APPLICATION NO: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

TITLE: GENES INVOLVED IN ISOPRENOID COMPOUND PRODUCTION

Assistant Commissioner for Patents  
Washington, D.C. 20231**DECLARATION OF BIOLOGICAL CULTURE DEPOSIT**

Sir:

I, S. Neil Feltham, declare that:

I am an attorney of record for the owner of the above-identified application.

Cultures of the following biological materials have been deposited with the following international depository:

American Type Culture Collection (ATCC)

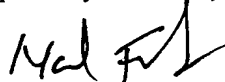
10801 University Boulevard, Manassas, VA, 20110-2209, U.S.A.

under conditions that satisfy the requirements of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. A copy of the receipt issued pursuant to Rules 7.3 and 10.2 (stating the term of the deposit) is attached.

| <u>Depositor's Identification of Organism</u> | <u>International Depository Accession Number</u> | <u>Date of Deposit</u> |
|-----------------------------------------------|--------------------------------------------------|------------------------|
| <i>Methylomonas: Methylomonas 16a sp.</i>     | PTA-2402                                         | August 22, 2000        |

I further aver that all restrictions on the availability to the public of the culture will be irrevocably removed upon the granting of a U.S. patent on the above-identified application.

Respectfully submitted,

S. NEIL FELTHAM  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 36,506  
TELEPHONE: (302) 992-6460Dated: 11/3/03  
Enclosure: Deposit Receipt

CL-1576

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

**INTERNATIONAL FORM**

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

DuPont Company  
Attn: Kyungok Wun-Kim  
DuPont Experimental Station  
E301/317  
Wilmington, DE 19880

Deposited on Behalf of: DuPont Company

Identification Reference by Depositor:  
*Methylobionas: Methylobionas* 16a sp.

Patent Deposit Designation  
PTA-2402

The deposit was accompanied by: \_\_\_ a scientific description \_\_\_ a proposed taxonomic description indicated above.

The deposit was received August 22, 2000 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

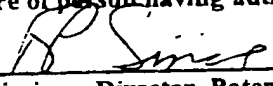
If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested September 8, 2000. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

  
Frank Simi ne, Director, Patent Depository

Date: November 16, 2000

cc: S. Neil Feltham (Ref: Docket r Case N .: BC-1039)